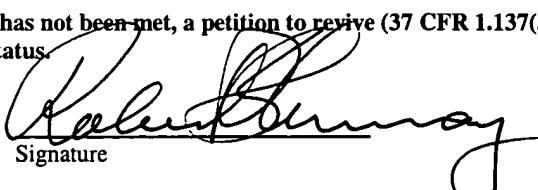


FORM PTO-1390		U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No.
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		2948-181	
INTERNATIONAL APPLICATION NO. PCT/US03/21061		INTERNATIONAL FILING DATE July 7, 2003	PRIORITY DATE CLAIMED July 8, 2002
TITLE OF INVENTION VIRULENT PHAGES TO CONTROL LISTERIA MONOCYTOGENES IN FOODSTUFFS AND IN FOOD PROCESSING PLANTS			
APPLICANT(S) FOR DO/EO/US Martin LOESSNER, Richard M. CARLTON			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). ITEMS 11. TO 20. below concern other document(s) or information included:			
11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: PCT Demand, PCT/ISA/220, PCT/ISA/210, PCT/IPEA/416, Amdt. of Int'l Appln. under PCT Article 34, Rule 66.3, PCT/IPEA/408			

U.S. APPLICATION NO. (If known, see 37 CFR 1.10) New Application 10/516507		INTERNATIONAL APPLICATION NO. PCT/US03/21061	ATTORNEY DOCKET NO. 2948-181	
21. <input checked="" type="checkbox"/> The following fees are submitted: Basic National Fee (37 CFR 1.492)(a)(1)-(5): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report Not Prepared by EPO or JPO \$ 1,110.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report has been prepared by the EPO or JPO \$ 950.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$ 790.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but claims did not satisfy provisions of PCT Article 33(1)-(4) \$ 750.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$ 100.00		<u>CALCULATIONS</u>	<u>PTO USE ONLY</u>	
ENTER APPROPRIATE BASIC FEE AMOUNT =		\$ 100		
Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$ 0		
Claims	Number Filed	Number Extra	Rate	
Total Claims	47 -20 =	27	X \$18.00	\$ 486
Independent Claims	5 - 3 =	2	X \$88.00	\$ 176
Multiple dependent claim(s) (if applicable)		+ \$300.00 \$		
TOTAL OF ABOVE CALCULATIONS =		\$ 762		
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		\$ 0		
SUBTOTAL =		\$ 762		
Processing fee of \$130.00 for furnishing the English translation later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		\$ 0		
TOTAL NATIONAL FEE =		\$ 762		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property		\$ 40		
TOTAL FEES ENCLOSED =		\$ 802		
Amount to be refunded		\$		
charged		\$		
a. <input checked="" type="checkbox"/>	A check in the amount of \$762 to cover the above filing fees and a check in the amount of \$40 to cover the Assignment Recordation fee is enclosed.			
b. <input type="checkbox"/>	Please charge my Deposit Account No. 02-2135 in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.			
c. <input checked="" type="checkbox"/>	The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-2135.			
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.				
SEND ALL CORRESPONDENCE TO: Customer No. 6449				
Robert B. Murray Rothwell, Figg, Ernst & Manbeck 1425 K St., N.W. Washington, D.C. 20005 Phone: 202/783-6040		 <u>Robert B. Murray</u> Name <u>22,980</u> Registration Number		